

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

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PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
1995

ing with the hospitals' obligations under Title 22, section 395:

See title page for effective date.

CHAPTER 498

H.P. 1133 - L.D. 1577

An Act to Authorize Department of Transportation Bond Issues in the Amount of \$58,900,000 to Match up to \$138,000,000 in Federal Funds for Improvements to Highways, State and Local Bridges, Airports and Ports

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14, to authorize the issuance of bonds on behalf of the State of Maine to provide funds to match available federal funds for highway, bridge, airport and port improvements.

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. Authorization of bonds to provide for highway, bridge, airport and port improvements. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$58,900,000 to raise funds to match, in whole or in part, available federal funds for surface, port and air transportation improvements as authorized by section 6. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 20 years from the date of the original issue of the bonds. At the discretion of the Treasurer of State, with the approval of the Governor, any issuance of bonds may contain a call feature.

Sec. A-2. Records of bonds issued to be kept by the Treasurer of State. The Treasurer of State shall keep an account of each bond showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. A-3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State

and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Part. Any unencumbered balances remaining at the completion of the project in section 6 lapse to the debt service account established for the retirement of these bonds.

Sec. A-4. Interest and debt retirement.

The Treasurer of State shall pay interest due or accruing on any bonds issued under this Part and all sums coming due for payment of bonds at maturity.

Sec. A-5. Disbursement of bond proceeds.

The proceeds of the bonds must be expended as set out in section 6 under the direction and supervision of the Commissioner of Transportation.

Sec. A-6. Allocations from General Fund and Highway Fund bond issues. The following proceeds of the sale of bonds must be expended as designated in the following schedule.

	1995-96	1996-97
TRANSPORTATION, DEPARTMENT OF General Fund		
Airport improvements	\$500,000	\$2,000,000
Cargo port improvements	7,000,000	8,000,000
Intermodal Transportation Improvements	1,250,000	1,250,000
Commercial Harbor Improvements		2,500,000
General Fund Total	\$8,750,000	\$13,750,000
Highway Fund		
Highway and bridge improvements	\$25,400,000	\$6,000,000
Collector Road Improvement Fund		5,000,000
Highway Fund Total	\$25,400,000	\$11,000,000

Sec. A-7. Contingent upon ratification of bond issue. Sections 1 to 6 do not become effective unless the people of the State have ratified the issuance of bonds as set forth in this Part.

Sec. A-8. Appropriation balances at year end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to General Fund debt service.

Sec. A-9. Bonds authorized but not issued. Any bonds authorized but not issued, or for which bond anticipation notes are not issued within 5 years of ratification of this Part, are deauthorized and

may not be issued; except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds or bond anticipation notes for an additional amount of time not to exceed 5 years.

Sec. A-10. Referendum for ratification; submission at statewide election; form of question; effective date. This Part must be submitted to the legal voters of the State of Maine at a statewide election held on the Tuesday following the first Monday of November following passage of this Part. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Part by voting on the following question:

"Do you favor a \$58,900,000 bond issue for economic development for improvements to highways, state and local bridges, airports and cargo ports that makes the State eligible for up to \$138,000,000 in matching federal funds?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns and, if a majority of the legal votes are cast in favor of the Part, the Governor shall proclaim the result without delay, and the Part becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Part necessary to carry out the purpose of this referendum.

PART B

Sec. B-1. 23 MRSA c. 19, sub-c. V-A is enacted to read:

SUBCHAPTER V-A

COLLECTOR ROAD IMPROVEMENT FUND

§1710. Establishment and administration

The Collector Road Improvement Fund, referred to in this subchapter as the "fund," is established to provide for the reconstruction and maintenance of collector roads. The Department of Transportation shall administer the fund. Allocation of funds must be awarded competitively based on guidelines developed

by the department after public hearing. These guidelines must establish a process by which the department receives matching funds from public and private sources to support collector road improvements. The department may set aside any available federal funds into the fund. Local and federal contributions to the fund accrue for redistribution in subsequent program years and do not lapse.

For purposes of this subchapter, "collector roads" means those highways not included in the system of state highways that primarily serve as feeder routes connecting local service roads to the arterial state highway system.

Sec. B-2. Allocation from Highway Fund.

There is allocated from the Highway Fund the sum of \$5,000,000 for fiscal year 1996-97 to the Collector Road Improvement Fund to carry out the purpose of this Part. Any unexpended balance may not lapse but must remain a continuing carrying account until the purpose of this Part has been accomplished.

Sec. B-3. Contingent upon ratification of bond issue. This Part does not take effect unless the bond issue under Part A of this Act is approved by the legal voters of the State.

Effective pending referendum.

CHAPTER 499

S.P. 600 - L.D. 1585

An Act Regarding Narcotic Dependency

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §§20052 and 20053 are enacted to read:

§20052. Long-term methadone and other narcotic drug detoxification and maintenance treatment

Beginning on the date of commencement of treatment under the Long-term Narcotic Dependency Treatment Project authorized under section 20053 long-term methadone and other narcotic drug detoxification and maintenance treatment of narcotic-dependent persons is prohibited except as authorized under section 20053.

§20053. Long-term Narcotic Dependency Treatment Project

1. Treatment project established. The Department of Human Services and the Office of